

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED
MAY 10 2005
for H'burg.
JOHN F. CORCORAN, CLERK
BY: *J. Jones*
DEPUTY CLERK

ANNA GRANDISON (MYERS),) CASE NO. 5:03CV00081
Plaintiff)
v.) REPORT AND RECOMMENDATION
JO ANNE B. BARNHART) By: B. Waugh Crigler
Commissioner of Social Security,) U. S. Magistrate Judge
Defendant)

The Commissioner having advised the court that she has no objection to an award of attorney fees to M. Marcelin McKie, Esq. under the Social Security Act (Act), 206(b), 42 U.S.C. § 406(b), it is

R E C O M M E N D E D

that an Order enter awarding counsel for plaintiff, M. Marcelin McKie, the sum of Fifteen Thousand Five Hundred Eighty-Seven and 00/100 Dollars (\$15,587.00) in counsel fees under 42 U.S.C. § 406(g) to be paid out of plaintiff's past due benefits withheld by the Commissioner for payment of such fees.

The Clerk is directed to immediately transmit the record in this case to the presiding District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days

hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:


Judge

5-10-05
Date